



California Fair Political Practices Commission

July 15, 1986

Margaret E. O'Donnell
Breon, Galgani, Godino & O'Donnell
22nd Floor, The Shell Building
100 Bush Street
San Francisco, CA 94104

Re: Your Request for Written Advice
Our File No. A-86-207

Dear Ms. O'Donnell:

Thank you for your request for advice on behalf of Palo Alto School District Board of Education President Robert Calfee, regarding his duties under the Political Reform Act.^{1/}

QUESTIONS

1. As an employee of Stanford University, is Mr. Calfee prohibited from participating, as a member of Palo Alto's Board of Education (Board), in decisions regarding the closure of either Gunn or Palo Alto High School where Stanford has a reversionary interest in the real properties on which those schools are located?

2. May Mr. Calfee participate in discussions concerning whether Stanford University and the Palo Alto Unified School District should enter into a joint venture to develop the properties?

CONCLUSIONS

1. Board member Calfee may not participate in any decision regarding whether to close either high school if it is reasonably foreseeable that such a decision will cause the property to revert to Stanford University.

2. Mr. Calfee may not participate in any decision concerning a possible joint venture between Palo Alto School District and Stanford University.

^{1/} Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise noted.

FACTS

Robert Calfee is President of the Board of Education ("Board") of the Palo Alto Unified School District ("District") and he is a Professor employed by Stanford University. The Board is currently considering whether to close one of Palo Alto's two public high schools. Both high schools (Gunn and Palo Alto) are located on land acquired from Stanford University, a non-profit organization. Gunn High School is on a 50-acre site obtained from Stanford by condemnation in 1956. The order of condemnation provides that if the property is not used by the District for school purposes and particularly for public education and general welfare, the land will revert to Stanford upon payment of \$358,630 to the District. The present fair market value of the land is approximately \$23 million. Palo Alto High School occupies 28 acres of another 50-acre site which was obtained by deed. The deed provides that if the land is not used for school purposes, it will revert to Stanford upon the payment of \$26,000. The current fair market value of the land is approximately \$21 million.

ANALYSIS

The Political Reform Act requires that public officials disqualify themselves from making or in any way participating in any decision in which they have a financial interest. Section 87100. An official has a financial interest in a decision if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally on, among other interests, a source of income to the official of \$250 or more in the 12 months preceding the decision. Section 87103(c). Stanford is a source of income to Mr. Calfee. Accordingly, Mr. Calfee may not participate in any decision which will have a reasonably foreseeable material financial effect on Stanford.

Commission regulation 2 Cal. Adm. Code Section 18702(b)(3)(D) provides that the financial effect of a decision on a source of income which is not a business entity^{2/} will be considered material if it will have a "significant" effect on the source.

^{2/} "Business entity" means any organization or enterprise operated for profit, including but not limited to a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation or association. Section 82005. Since Stanford is a nonprofit organization, it is not a business entity.

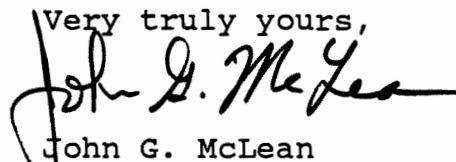
Margaret E. O'Donnell
July 15, 1986
Page 3

We believe that any decision which results in either of the properties reverting to Stanford will have a significant effect on Stanford. In either case, Stanford would acquire a parcel of real property worth in excess of \$20 million for the payment of less than \$360,000.^{3/} Thus, if it is reasonably foreseeable that the Board's decision on the closure of either high school will result in one of those properties reverting to Stanford, Mr. Calfee may not make or participate in that decision.

Under the standards set forth in the Commission's Thorner Opinion, No. 75-089, 1 FPPC Opinions 198, Dec. 4, 1975, in order for an effect to be reasonably foreseeable it must be more than a mere possibility; there must be a substantial probability. (1 FPPC Opinions at 203-206.) As noted in your letter, the facts in the present situation are virtually identical to those dealt with in a Commission advice letter to your law firm in 1979. See, Advice Letter to Martha Scott, No. A-79-116, copy enclosed. We recommend you review the discussion of "foreseeability" contained in that letter for guidance in the present situation.

With regard to a possible joint venture between Stanford and the District to develop the property, we believe, given the very substantial value of the property in its undeveloped state, that any decision to enter into such a joint venture would have a reasonably foreseeable material financial effect on Stanford. Accordingly, Mr. Calfee may not make, participate in making or in any way attempt to use his official position to influence any such decision.

If you have any further questions regarding this matter, please contact me at (916) 322-5901.

Very truly yours,

John G. McLean
Counsel
Legal Division

JGM:km

^{3/} It should be noted that with regard to business entities, even those corporations listed in the Fortune Magazine Directory of the 500 largest U.S. industrial corporations or the 500 largest U.S. non-industrial corporations are considered to be materially affected if a decision will increase or decrease the corporation's assets by \$1,000,000 or more.

F P P L
BREON, GALGANI, GODINO & O'DONNELL

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KERRY CUNNINGHAM
SUSANNE K. REED
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JUN 17 9 33 AM '86
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
ATTORNEYS AT LAW

June 13, 1986

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* A PROFESSIONAL CORPORATION

SAN FRANCISCO

REPLY TO:

John McLean
Legal Department
Fair Political Practices Commission
Post Office Box 807
Sacramento, CA 95814

Re: Conflict of Interest Opinion Request/Robert
Calfee, Palo Alto Unified School District

Dear Mr. McLean:

On behalf of Robert Calfee, President of the Board of Education of the Palo Alto Unified School District, I wish to request an opinion letter regarding a conflict of interest issue under the Political Reform Act, Government Code sections 8100 et seq. This opinion request is akin to one requested by our office in 1979. (See letter from Sarah T. Carmeron to Martha Scott dated February 2, 1979.)

The facts are similar to those presented in 1979. The Palo Alto Unified School District (hereafter "District") currently operates two high schools. Because of declining enrollment and financial considerations the Board of Education (hereafter "Board") is considering closing one high school. Both high schools (Gunn and Palo Alto) are located on land acquired from Stanford University. Gunn High school is on a 50 acre site obtained from Stanford by condemnation. The order of condemnation provides that if the property is not used by the District for school purposes and particularly for public education and general welfare, the land will revert to Stanford upon payment of \$358,630 by the District. The present fair

John McLean
Fair Political Practices Commission
June 13, 1986
Page 2

market value of the land is approximately \$23,000,000. Palo Alto High School occupies 28 acres of another 50 acre site and was obtained by deed. The deed requires the land be used for school purposes and provides for reversion to Stanford upon the payment of \$26,000. The current fair market value of the land is approximately \$21,000,000. Dr. Robert Calfee is a professor employed by Stanford University.

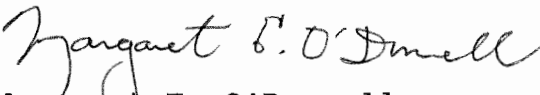
The opinion requested is whether Dr. Calfee would have a conflict of interest under the Political Reform Act if he were to participate in discussion of or vote on the closure of either high school? Additionally, could he participate in discussion of or vote on any agreement whereby Stanford University and the District would enter into a joint venture to develop the property?

Both Dr. Calfee and I would be able to provide you with additional information, if needed.

Thank you for your time and assistance in this matter.

Very truly yours,

BREON, GALGANI, GODINO & O'DONNELL


Margaret E. O'Donnell

MEO:vf:0562

cc: Dr. Robert Calfee



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • 1100 K STREET BUILDING, SACRAMENTO, 95814

February 2, 1979

Martha Scott
Breon, Galgani & Godino
100 Bush Street, Suite 428
San Francisco, CA 94104

A-79-116

Dear Ms. Scott:

This is in response to our telephone conversation of February 1, 1979, in which you requested advice concerning the conflict of interest provisions of the Political Reform Act on behalf of Joan Johnston and Ray Bacchetti, members of the Board of Education of the Palo Alto Unified School District. This advice is provided pursuant to Section 83114 of the Act.^{1/} The facts as I understand them from the conversations I had with you, Newman Walker, Superintendent of Palo Alto Schools, and Pat Einfalt of the district, are as follows.

The Palo Alto Unified School District operates three high schools in Palo Alto. Because of the combined effects of declining enrollments and budget cuts caused by Proposition 13, the Superintendent of Schools will recommend to the Board of Education at their next meeting that the district close Cubberly High School. Cubberly is the only one of the three high schools which is located on land owned in fee simple by the district. Gunn High School is located on a 50 acre site which was obtained by condemnation by the school district from Stanford University in 1956. The order of condemnation provides, however, that if the property is not used by the district for school purposes and particularly for the furtherance of public education and general welfare, the land will revert to Stanford University upon payment by Stanford to the school district of \$358,631. The present

^{1/} All citations are to the Government Code unless otherwise noted.

Martha Scott
February 2, 1979
Page Two

fair market value of the land is ten to twelve million dollars. Palo Alto School District owns 25 acres of another 50 acre site which was obtained in the same manner. The offices of the school district occupy the rest of the site and the order of condemnation of that site provides for reversion to Stanford under the same circumstances upon payment of \$26,000. In discussions with the school district, the University has agreed that this language is broad enough to allow the school district to use the land for any purpose within the lawful scope of the district's powers, but that if the district ceased to use the land altogether or attempted to sell or lease it to someone else, Stanford would act to enforce the reversionary clause in the order of condemnation. Ms. Johnston and Mr. Bacchetti are employees of Stanford University. You have asked the extent to which they may participate in the general policy decision to close one of the high schools or in the specific decision to close Cubberly High School.

Section 87100 of the Political Reform Act provides that:

No public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest.

Section 87102 provides that:

An official has a financial interest in a decision within the meaning of Section 87100 if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on:

...
(c) Any source of income, other than loans by a commercial lending institution in the regular course of business, aggregating two hundred fifty dollars (\$250) or more in value received by or promised to the public official within twelve months prior to the time when the decision is made...

Ms. Johnston and Mr. Bacchetti may not, therefore, participate in any decision if it is reasonably foreseeable that the decision will have a material financial effect on Stanford University. In the Thorner opinion, 1 EPPC Opinions 198 (No. 75-089, 1975), the Commission considered the standard of reasonable foreseeability and determined that it meant that there is a

substantial probability or a likelihood that the decision in question will result in a material financial effect. There is no question that if the effect of the decision is to cause the reversion of the Gunn or Palo Alto High School sites to Stanford, such an effect will be material. For the payment of approximately \$26,000 in the case of Palo Alto High School or \$359,000 in the case of Gunn High School, Stanford would receive title to land worth millions of dollars. For reversion to occur, however, not only must the high school be closed, but the district must fail to use the land for other educational purposes. With respect to any particular decision the board may make, the question therefore becomes whether it is likely or substantially probable that the decision will cause the land to be used for no educational purpose and therefore to revert to Stanford.

Until the Board begins its meeting and faces these issues, it is impossible to predict the exact manner in which these questions will be brought before the Board. There is a range of potential ways to frame the issues. On the one hand, a decision on whether to follow the Superintendent's recommendation and close Cubberly High School will have no effect on Stanford since the University's reversionary interest in the other two pieces of land will not be affected. On the other hand, the Board could consider directly the question of whether or not it should allow either the Gunn High School site or the Palo Alto High School site to revert to Stanford. As we mentioned before, a decision to allow such a reversion would certainly have a material financial effect on Stanford.

However, the Board may choose to engage in a general policy discussion of whether to close any school before it narrows the issue to either of the extreme measures set forth above. Although a negative decision on such a policy question would foreclose the possibility of either of the sites reverting to Stanford, it does not follow that a positive decision would make reversion probable. A decision to close either Gunn or Palo Alto would open the door to reversion, but it would make reversion probable only if the district would not use the land for some other educational purpose. A determination of the foreseeable effect of such a decision must therefore of necessity contain a determination of the probable subsequent actions of the Board. This can only be done by a good faith interpretation of the present intentions of the Board members, especially those Board members other than Ms. Johnston and Mr. Bacchetti. Superintendent Walker has discussed the possibility of reversion with each of the Board members individually and they have all told him that they do not intend to let land revert to Stanford.

Martha Scott
February 2, 1977
Page Four

It is true, therefore, that the use of the land at Palo Alto will not result in a substantial probability of a material financial effect on the income.

Based on the information provided, I conclude that Mr. Johnston and Mr. Sacerdoti can participate in a decision to close Cubberly, they can participate in a general policy decision to close one of the three high schools and they can even participate in a decision to close Sigmund or Palo Alto. However, once the board has decided to close either Sigmund or Palo Alto, they cannot participate in a decision of whether to use the land for some other educational purpose or let it revert to Stanford. Once the Board, without their participation, decides to use the land for some other educational purpose, they can participate in any decision on specific alternative uses for the land.

If you have any further questions concerning the Political Reform Act, please do not hesitate to call me.

Sincerely,

11-1042

Marah H. Cameron
Counsel
Conflicts of Interest Division

3/2/77

CLAYTON O. ROST
PETER J. GIAMALIS

LAW OFFICES OF
ROST & GIAMALIS
2470 EL CAMINO REAL
PALO ALTO, CALIFORNIA 94300

TELEPHONE
(415) 327-2021

February 9, 1979

State of California
Fair Political Practices Commission
Post Office Box 807
Sacramento, California 95804

RE: Investigative Services - CONFLICT OF INTEREST SECTION

Dear Commission Members:

Recently, a "conflict of interest" question arose in Palo Alto, California with respect to Board of Education members who were also Stanford University employees voting on certain matters which could have had a material effect on Stanford University.

I was a member of a local citizens group very interested in this issue. I was in contact with the Fair Political Practices Commission on innumerable occasions during the period from January 31, 1979 through February 6th, 1979.

I was amazed and pleased by the cooperation received from the staff attorneys that I contacted on this matter. I was not calling on behalf of the governing body requesting the opinion; I was calling on behalf of the citizens group that raised the issue. No matter - Ms. Sara Cameron of your staff was very cooperative. She listened to my every argument, presented my arguments to the representative of the Board of Education and pursued the matter with some sensitivity to the emotional involvement of the parties involved.

Although I did not concur in her informal "letter" opinion, I must bestow a great big "Thank You" upon her and upon the FPFC for the serious manner in which it pursued its charge.

Not only Ms. Cameron, but also a Mr. Ted Prim (Preem?) of the Commission acted in the same manner. He notified me

State of California
Fair Political Practices Commission
February 9, 1979
Page -2-

why the FPCC reaffirmed Ms. Cameron's decision, then allowed me to pursue further arguments and then he presented these further arguments to a representative of the school board until he also was satisfied that Ms. Cameron's opinion should be affirmed. Again, I cannot concur in the opinion, but I appreciate the serious manner in which Mr. Prim and the FPCC reviewed the opinion. This matter was not given cursory consideration by the Commission; it was given much energy, thought and time.

If, at any time in the future, Ms. Cameron or Mr. Prim or the FPCC need confirmation of the valuable services they perform, you, or they, can count on me.

Thank you again.

Sincerely,


PETER J. GIAMALIS

PJG/kf

cc: Ms. Sara Cameron
Mr. Ted Prim

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance • • • Administration • • • Executive/Legal • • • Enforcement • • • Conflict of Interest
(916) 322-5662 322-5660 322-5901 322-6441 322-6444

February 9, 1979

Mr. Peter Giamalis
Rost & Giamalis
2470 El Camino Real
Palo Alto, CA 94306

Dear Mr. Giamalis:

This letter is in response to the telegram of February 6, 1979, sent on behalf of the Cubberly Parent Teachers Association. At its meeting on February 6, 1979, the Commission considered your request to review staff attorney Sarah Cameron's advice letter to Martha Scott dated February 2, 1979. The Commission decided that the conclusions in that letter were correct based on the facts provided to Ms. Cameron and set forth in her letter. If the material facts have not been fully and accurately disclosed, the advice cannot be relied upon. See Government Code Section 83114(b).

Thank you for your interest in political reform.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael Bennett", with a long, sweeping horizontal line extending to the right.

Michael Bennett
Executive Director

MB:LCR:kp



Telegram

PALO ALTO DISTRICT HIGH SCHOOL CLOSURE.

CRITICAL TO CAMERON'S OPINION WAS INFORMATION PROVIDED BY A NON-BOARD MEMBER THAT THE SCHOOL DISTRICT WOULD NOT ALLOW GUNN HIGH SCHOOL PROPERTY TO REVERT TO STANFORD UNIVERSITY. THAT INFORMATION IS INCORRECT AND MISSTATES A BOARD POLICY THAT HAS NEVER BEEN ADOPTED, PROPOSED OR DISCUSSED.

IF THE SCHOOL BOARD CLOSES GUNN HIGH SCHOOL AN EXISTING COURT ORDER PROVIDES THAT THE HIGH SCHOOL WOULD REVERT TO STANFORD. THUS, ANY ISSUE CONCERNING A HIGH SCHOOL CLOSURE WILL HAVE A REASONABLY FORESEEABLE MATERIAL FINANCIAL AFFECT ON STANFORD UNIVERSITY AND WILL CREATE A CLEAR CONFLICT OF INTEREST ON BACHETTI AND JOHNSTON, BOTH OF WHOM ARE STANFORD UNIVERSITY EMPLOYEES.

SF-1201 (R5-69)



western union

Telegram

PLEASE ADVISE SCHOOL BOARD PRESIDENT JEAN AMICK, 3171 MACKALL WAY,
PALO ALTO (415) 494-2222, THAT YOU ARE REVIEWING THE STAFF LEGAL
OPINION AND THAT THE OPINION MAY BE REVERSED, MODIFIED OR CLARIFIED
AFTER ALL THE FACTS ARE RECEIVED.

THE SCHOOL BOARD HAS SCHEDULED A MEETING TO FINALLY DECIDE THIS
SCHOOL CLOSURE ISSUE ON TUESDAY, FEBRUARY 6 AT 8:30PM. YOUR
ATTENTION TO THIS MATTER IS URGENTLY REQUESTED.

EXECUTIVE BOARD CUBBERLEY HIGH SCHOOL PARENT TEACHERS ASSOCIATION
NNNN

SF-1201 (R5-69)



Telegram

QZA018(0255)(4-007959E037)PD 02/06/79 0255

ICP IPNRNCZ CAP

4154934112 TDRN PALO ALTO CA 216 02-06 0255A EST

PMS MICKEY BENNETT, EXECUTIVE DIRECTOR

FEB 6 8 59 AM '79

CARE FAIR POLITICAL PRACTICES COMMISSION, DLR TUESDAY ASAP MORNING
, DLR

111 K ST

SACRAMENTO CA

RE: PALO ALTO UNIFIED SCHOOL DISTRICT.

MR BENNETT:

WE URGE THE COMMISSION TO IMMEDIATELY REVIEW THE STAFF LEGAL OPINION
OF SARAH CAMERON DECLARING THAT NO CONFLICT EXISTS IN ALLOWING TWO
SCHOOL BOARD MEMBERS, RAY BACHETTI AND JOAN JOHNSON, TO VOTE ON A

CLAYTON O. ROST
PETER J. GIAMALIS

LAW OFFICES
ROST & GIAMALIS
2470 EL CAMINO REAL
PALO ALTO, CALIFORNIA 94306

TELEPHONE
415) 327-2021

ELB 3 5 00 AM 19

2/5/79

TRANSMITTAL MEMORANDUM

DATE: 2/5/79

TO: Mr Sarah Cameron, Staff Attorney
FPCC

CASE NO.

SUBJECT: Palo Alto School Closure - Conflict
of Interest

ENCLOSURE (S):

PRESS RELEASE of 2/4/79
charging 2 PAUSD Board Members with
conflict of Interest.

ACTION REQUESTED: For your information & comment.

~~ROST & GIAMALIS~~

By Peter J. Giamalis

Enclosures

4 Pg Press Release

Call Peter J. Giamalis
327-2021 or Mrs. Hebard 494-7780

1979

TWO PAUSD BOARD MEMBERS CHARGED WITH CONFLICT OF INTEREST IN
HIGH SCHOOL CLOSURE DECISION

The Cubberley High School Ad Hoc Committee charges that Palo Alto Unified School District (PAUSD) Board of Education members Joan Johnston and Raymond Bacchetti have a conflict of interest according to State law and Board policy when participating in and voting on the decision to close a high school in the Palo Alto Unified School District in view of the fact that high school land may revert to Stanford if certain high schools are closed. They are thus disqualified from voting on the high school closure question coming before the board on February 6. Mr. Bacchetti is a Vice Provost, Planning for Stanford University and Mrs. Johnston is an employee of Stanford doing public relations for the Legal Alumni Association.

The "CRITERIA FOR CONSIDERATION-HIGH SCHOOL CLOSURE" distributed by the District Superintendent to the public and the Board at a Board meeting on February 1, 1979 indicated that the first closure option for closing Gunn would be for it to revert to Stanford.

The residents of the school district have been led to believe that Cubberley High School is an obvious choice for closure because Gunn High School and Palo Alto High School are located on Stanford land and that if either of these schools are closed, the land will probably revert to Stanford according to the condemnation judgment. On these grounds, the board members in question have a conflict of interest position and should not participate in or vote on any decisions relating to high school closure.

The PAUSD adopted a Conflict of Interest Code (See PAUSD BYLAWS, ARTICLE X). The Code states that Board members "must disqualify themselves from making or participating in the making of any decisions which will foreseeably have a material financial effect, distinguishable from its effect on the public generally" on any business entity in which the board member is an employee or holds any position of management (See Article X, Paragraph 5 and Ca. Government Code Sec. 87103).

Clearly, a decision to close Gunn High School or Palo Alto High School will "foreseeably have a material financial effect" on Stanford University (if the land reverts to Stanford) and, just as clearly, Mrs. Johnston and Mr. Bacchetti are employees and/or hold positions of management in Stanford University. It is immaterial that a Board member with a conflict may vote contrary to Stanford's financial interest by voting to close Cubberley instead of Gunn or Palo Alto High School. The "conflict" question is addressed and resolved before a vote is taken and not in retrospect. (See Regulations of the FPPC, Ca. Admin Code Div. VI, Title 2, Sec. 18702).

Mr. Peter Giamalis of the Cubberley Ad Hoc Committee telephoned the FPPC on February 1 and 2, 1979 and talked with Ms. Sarah Cameron, a staff attorney for the Fair Political Practices Commission (FPPC), regarding the propriety of the Stanford employee/school board members voting on school closure. He was notified by Ms. Cameron that Dr. Newman Walker had contacted the FPPC on February 1 and that he

stated in his request for an opinion that;

1. The board would not be addressing the question "Should a high school be closed" but specifically "Should Cubberley High School be closed".
2. There was no possibility that land would revert to Stanford regardless of which high school was closed.
3. That he had every indication that Joan Johnson and Raymond Bacchetti were going to vote in favor of Cubberley school closure.

Ms. Cameron told Mr. Giamalis that if there was no possibility that any school site would revert to Stanford, as reported to her by Walker, then no conflict of interest exists under the Code and, therefore, the Stanford employee/board members could vote on the Cubberley closure. She further indicated to Mr. Giamalis that if there was a foreseeable possibility that certain of the high school sites would revert to Stanford if closed, then she would have to reconsider the question of conflict of interest in this matter. We believe that Ms. Cameron will have to reconsider.

Dr. Walker has either misled the community or misled the FPPC attorney by stating a Board policy that there will be no reversion when in fact no reversion policy has been adopted by the Board (The Superintendent is not the Board.). The only recorded statement regarding reversion is in the "CRITERIA" document mentioned above, indicating reversion as an option.

Furthermore, the PAUSD community is under the impression that the issue is not whether Cubberley High School should be closed but whether any high school should be closed. Going further, Ms. Cameron should not be influenced in her decision by Dr. Walker's indication of how Board members will vote.

In summary, the Cubberley Ad Hoc Committee charges that Board members Joan Johnston and Raymond Bacchetti may not, by law, participate in any discussions or vote on high school closures. If they do so, the Cubberley Ad Hoc Committee will consider bringing a legal action to nullify any such Board action that required the votes of these Board members.



California Fair Political Practices Commission

June 25, 1986

Margaret E. O'Donnell
Breon, Galgani, Godino & O'Donnell
The Shell Building
100 Bush Street, 22nd Floor
San Francisco, CA 94104

Re: 86-207

Dear Ms. O'Donnell:

Your letter requesting advice under the Political Reform Act has been received on June 17, 1986 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or unless more information is needed to answer your request, you should expect a response within 21 working days.

Very truly yours,

A handwritten signature in dark ink, reading "John G. McLean", is written over a typed name.

John G. McLean
Counsel
Legal Division

JGM:plh